

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

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|------------------------------|---|--------------------------------|
| CYWEE GROUP LTD., | § | CASE NO. 2:17-cv-00495-RWS-RSP |
| Plaintiff, | § | |
| vs. | § | |
| HUAWEI DEVICE CO. LTD., | § | JURY TRIAL REQUESTED |
| HUAWEI DEVICE (DONGGUAN) CO. | § | |
| LTD., AND HUAWEI DEVICE | § | |
| USA, INC., | § | |
| Defendants. | § | |
| | § | |

JOINT MOTION AND STIPULATION REGARDING STAY

WHEREAS, Plaintiff CyWee Group Ltd. (“CyWee”) has filed a Complaint against Defendants Huawei Device Co. Ltd., Huawei Device (Dongguan) Co. Ltd., and Huawei Device USA, Inc. (collectively “Huawei”) alleging infringement of U.S. Patents Nos. 8,441,438 and 8,552,978 (collectively, the “patents-in-suit”);

WHEREAS, Google LLC (“Google”) has filed the following petitions for *inter partes* review (“IPR”) challenging certain claims in the patents-in-suit: IPR2018-01257 and IPR2018-01258 (the “IPR Proceedings”);

WHEREAS, Huawei is listed as a real party in interest to those petitions;

WHEREAS, the Patent Trial and Appeal Board has instituted the IPR Proceedings on all challenged claims of the patents-in-suit;

WHEREAS, Huawei has indicated its intent to move to stay this case pending completion of the IPR Proceedings;

WHEREAS, on January 4, 2019, a similar case in Delaware to this case was ordered stayed by similar stipulation (*see CyWee Group Ltd. v. Google LLC*, USDC Delaware, Case No. 18-571 RGA, Dkt. No. 38);

WHEREAS, in the interest of avoiding unnecessary motion practice, and to conserve judicial resources, the parties have agreed to stay this case pending final resolution of the IPR Proceedings;

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that this case is stayed pending final resolution, including any appeal, of the IPR Proceedings on the patents-in-suit. Each party reserves the right to request that the stay be lifted or modified due to changed circumstances. The parties therefore move that the Court enter such a stay.

Dated: January 10, 2019

Respectfully submitted,

/s/ Steven D. Moore

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Huawei Device USA, Inc.***

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Counsel for Plaintiff CyWee Group Ltd.

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that on January 10, 2019, defendants' counsel conferred with plaintiff's counsel and that plaintiff's counsel does not oppose the motion.

/s/ Steven D. Moore
Steven D. Moore

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on January 10, 2019.

/s/ Steven D. Moore
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